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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,243	07/13/2000	Masashi Yahara	CANO:009	5020

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EXAMINER

NGUYEN, DANG T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 12/22/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

Office Action Summary

Application No.

09/615,243

Applicant(s)

YAHARA, MASASHI

Examiner

Dang T Nguyen

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 13 July 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

1. This action is responsive to communications: Application filed on 07/13/2000.
2. Claims 1 - 30, are pending in this case. Claims 1, 8, 15 are independent claims.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3 - 5, 8, 10 – 12, 15, and 17 – 19, are rejected under 35 U.S.C. 102(e) as being anticipated by Ellard U.S. patent No. 5,991,758 – filed Jun. 6, 1997.

Regarding independent claim 1, Ellard discloses a document management method of managing a plurality of files of documents by recording said plurality of files of documents such that said files can be retrieved, comprising the steps of: listing attribute information of

Art Unit: 2178

recorded ones of said plurality of files (col. 15 lines 4-5), information of results of retrieval carried out on the files, and information of indices for the files, on a file-by-file basis, in a single document file list (see Figure 15, col. 15 lines 1-13); assigning identifiers having respective priorities independent of said results of said retrieval to a plurality of files listed in said single document file list, that are desired to be subjected to a predetermined identical processing (see col. 7 lines 8-26); and subjecting said listed files to which said identifies having said respective priorities are assigned, to said predetermined identical processing according to the respective priorities of said identifiers (see col. 3 lines 30-40).

Regarding dependent claim 3, Ellard discloses wherein said predetermined identical processing is integration of said listed files according to the respective priorities of said identifiers (see col. 3 lines 21-40).

Regarding dependent claim 4, Ellard discloses predetermined identical processing is copying of said listed files according to the respective priorities of said identifiers (col. 3 lines 30-40).

Regarding dependent claim 5, Ellard discloses predetermined identical processing is movement of said listed files according to the respective priorities of said identifiers (col. 2 lines 4-32).

Regarding independent claims 8 and 15, recite a document management system capable and a storage medium storing a program of managing a plurality of files of

documents by recording the plurality of files of documents such that the files can be retrieved which is equivalent to the method as recited in claim 1 and is similarly rejected, as above.

Regarding dependent claims 10 and 17, recite a document management system and a storage medium for predetermined identical processing is movement of said listed files according to the respective priorities of said identifiers which is equivalent to the method as recited in claim 3 and is similarly rejected, as above.

Regarding dependent claims 11 and 18, recite a document management system and a storage medium for predetermined identical processing is copying of said listed files according to the respective priorities of said identifiers which is equivalent to the method as recited in claim 4 and is similarly rejected, as above.

Regarding dependent claims 12 and 19, recite a document management system and a storage medium for predetermined identical processing is movement of said listed files according to the respective priorities of said identifiers which is equivalent to the method as recited in claim 5 and is similarly rejected, as above.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 6, 7, 9, 13, 14, 16, 20 – 30, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellard U. S. Patent No. 5,991,758 – filed Jun. 6, 1997 in view of Fisher, U. S. Patent No. 5,563,997 - filed Nov. 16, 1992.

Regarding dependent claims 2, 6, 9, 13, 16, and 20, Ellard as applied to claims 1, 8, and 15 above discloses every aspect of applicant's claimed invention except a step of displaying said respective priorities of said identifiers.

Figure 5(a) of Fisher discloses a document management system having displaying plurality of files with respective to priorities of identifiers by sorting the files by Doc name, Doc #, and Date (see Figure 6b, col. 5 lines 33-47).

Ellard and Fisher are analogous because both are related to document management system. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the priorities of the identifiers taught by Fisher to Ellard for the purpose of allowing the user to specify the location in the list where new records are to be inserted (see column 1 lines 63-67).

Regarding dependent claims 7, 14, and 21, Ellard as applied to claims 1, 8, and 15 above discloses every aspect of applicant's claimed invention except wherein said identifiers are marks.

Figs. 3-4, and 5(a), 6(a), of Fisher discloses a document management system having identifiers are marks. (see Figure 3 [* denotes marked cells]).

Ellard and Fisher are analogous because both are related to document management system. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply denotes marked cells of Fisher to identifier documents of Ellard for the purpose of allowing the operator to select which columns from those data records should be displayed, and the operator has selected to display of the document name and the document number fields as indicated by the check marks in those fields (see col. 4 lines 57-67).

Regarding dependent claims 22 and 28, Fisher as combined with Ellard as applied to claim 16 above, further discloses a storage medium is a floppy disk and magnetic tape (col. 3 lines 51-52).

Regarding dependent claim 23, Fisher as combined with Ellard as applied to claim 16 above, further discloses a storage medium is a hard disk (Fig. 1, col. 3 lines 30-44).

Regarding dependent claims 24 and 25, Fisher as combined with Ellard as applied to claim 16 above, further discloses a storage medium is an optical disk and a magneto-optical disk (col. 4 line 1).

Regarding dependent claims 26, 27, 29, and 30, Fisher as combined with Ellard as applied to claim 16 above, further discloses a storage medium is a CD-ROM (Compact Disk Read Only Memory), CR-R (Compact Disk Recordable), nonvolatile memory card, and ROM (Read Only Memory) (see col. 3 line 38).

Prior art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Johnson et al.	Patent No. 5,813,009	Date of Patent: Sep. 22, 1998
Kawasaki et al.	Patent No. 6,279,031 B1	Date of Patent: Aug. 21, 2001
Curtis et al.	Patent No. 6,278,992 B1	Date of Patent: Aug. 21, 2001
Judd et al.	Patent No. 6,360,215 B1	Date of Patent: Mar. 19, 2002
Nusbickel et al.	Patent No. 6,119,133	Date of Patent: Sep. 12, 2000

Art Unit: 2178

Contact Information

7. Any inquiry concerning this communication from the examiner should be directed to Dang Nguyen, who can be reached by telephone at (703) 305-1673. Normal contact times are M-F, 8-4:30.

Upon an unsuccessful attempt to contact the examiner, the examiner's supervisor, Heather Herndon, may be reached at (703) 308-5186.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 746-7239 (for formal communications intended for entry)


or:

(703) 746-7238 (for after-final communications)

Hand-delivered responses should be brought to

Crystal Park II, 2121 Crystal Drive
Arlington, VA, Fourth Floor (receptionist).

Dang Nguyen 12/10/2003


STEPHEN S. HONG
PRIMARY EXAMINER